

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
) **No. 3:19-CR-176**
v.)
) **Judge Crytzer/Poplin**
UVER ALEXANDER VALERA ESQUENAZI,)
)
Defendant.)

AMENDED FINAL ORDER OF FORFEITURE

On October 1, 2019, an Indictment [Doc. 1] was filed charging the Defendant, Uver Alexander Valera Esquenazi, and others, with conspiracy to commit wire fraud in violation of 18 U.S.C. §§ 1343 and 1349 (Count One), in addition to other charges.

In the forfeiture allegations of the Indictment the United States sought forfeiture of the interest of the Defendant in any property, real or personal, which constitutes or is derived from proceeds traceable to an offense as set forth in Count One of the Indictment, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461.

A Bill of Particulars for Forfeiture of Property [Doc. 44] was filed on September 1, 2020, wherein the United States gave notice that it is seeking forfeiture of additional properties, including the properties as set forth in the forfeiture allegations of the Indictment.

A Plea Agreement [Doc. 57] was filed on December 16, 2020. On January 27, 2021, the Defendant pled guilty to Count One of the Indictment, in addition to another count, and agreed to facts sufficient to support the plea and forfeiture of properties as listed in the Plea Agreement. Based upon the Defendant's guilty plea, on May 18, 2021, this Court entered a Preliminary Order of Forfeiture [Doc. 87] forfeiting to the United States, pursuant to 18 U.S.C.

§ 981(a)(1)(C) and 28 U.S.C. § 2461, Defendant's interest in the properties as referenced in the Preliminary Order of Forfeiture.

Pursuant to 21 U.S.C. § 853, as incorporated by 28 U.S.C. § 2461(c), and the Preliminary Order of Forfeiture, notice of forfeiture as to the properties described below was published on an official Government website (www.forfeiture.gov) for at least 30 consecutive days, beginning on July 1, 2021 and ending on July 30, 2021. A Declaration of Publication [Doc. 106] was filed with the Clerk of this Court on September 1, 2021.

The notice of forfeiture advised that any persons, other than the Defendant, having or claiming a legal interest in the properties described below, were required to file a petition with the Court within sixty (60) days of the first date of publication of the notice on the official Government website, pursuant to Federal Rule of Criminal Procedure 32.2, and 21 U.S.C. § 853(n). The notice further provided that the petition be filed with the Clerk of the Court. It also required that the petition be signed by the petitioner under penalty of perjury and set forth the nature and extent of the petitioner's right, title, or interest in the properties and any additional facts supporting the petitioner's claim and the relief sought. *See* 21 U.S.C. § 853(n)(3).

No person, corporation, or entity has filed a claim to the properties described herein.

The Court sentenced the Defendant on March 8, 2022 and entered a Judgment [Doc. 145] against the Defendant on March 8, 2022. The Judgment forfeited the Defendant's interest in the properties as set forth in the Preliminary Order of Forfeiture signed and entered on the docket. The fourteen-day period in which to file a notice of appeal has expired and no notice has been filed.

On July 6, 2022, this Court entered a Final Order of Forfeiture [Doc. 153] wherein the properties listed in the Order were forfeited to the United States.

On December 22, 2022, the United States filed a Motion for Entry of Amended Final Order of Forfeiture [Doc. 156] to correct the amount of currency in item “a)” from \$17,700 to \$17,680 in U.S. currency.

It is therefore, ORDERED, ADJUDGED, and DECREED that:

1. The Motion to Amend the Final Order of Forfeiture is GRANTED.
2. The following properties are hereby forfeited to the United States for disposition, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, and Federal Rule of Criminal Procedure 32.2(b):
 - a) \$17,680 in U.S. currency;
 - b) Samsung television, model number QN65Q65FNF, serial number 07HX3C2K700104;
 - c) Samsung television, model number UN50M5300AFX2A, serial number 06TN3CGK518838N;
 - d) 2 Black Airlift Desk Risers;
 - e) 2 Black Power Air Fryers
 - f) 1 Black RX06 Hyper Bicycle;
 - g) eBay Gift Card No. xxxx7041 issued by eBay Gift Card Services, Inc., valued at \$200.00;
 - h) eBay Gift Card No. xxxx9190 issued by eBay Gift Card Services, Inc., valued at \$200.00;
 - i) Amazon Gift Card No. xxxx1004 issued by ACI Gift Cards, LLC, valued at \$480.00;
 - j) Amazon Gift Card No. xxxx6054 issued by ACI Gift Cards, LLC, valued at \$480.00;
 - k) Amazon Gift Card No. xxxx2434 issued by ACI Gift Cards, LLC, valued at \$480.00;

- l) Amazon Gift Card No. xxxx7235 issued by ACI Gift Cards, LLC, valued at \$480.00;
 - m) Amazon Gift Card No. xxxx2933 issued by ACI Gift Cards, LLC, valued at \$480.00;
 - n) Amazon Gift Card No. xxxx8294 issued by ACI Gift Cards, LLC, valued at \$480.00;
 - o) Amazon Gift Card No. xxxx2063 issued by ACI Gift Cards, LLC, valued at \$200.00;
 - p) Amazon Gift Card No. xxxx2323 issued by ACI Gift Cards, LLC, valued at \$200.00;
 - q) 13 Money Orders
 - r) 1 Blue Skimmer Component;
 - s) 1 Silver Lenovo Tablet;
 - t) 1 Apple iPad;
 - u) 1 Black Insignia Laptop;
 - v) 8 Skimmers;
 - w) 1 Re-coder;
 - x) 1 Black SanDisk USB Card;
 - y) 1 Black HP Laptop;
 - z) 1 Blue HP Laptop;
 - aa) 1 Samsung Cellular Phone;
- bb) \$1,134.00 U.S. Currency seized from Uver Alexander Valera Esquenazi; and
- cc) \$746.00 U.S. Currency seized from Rodriquez Renier Ramirez.

3. The United States Secret Service, or its designated representative, shall dispose of the forfeited properties according to law.

4. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Federal Rule of Criminal Procedure 32.2(e).

ENTER:



KATHERINE A. CRYZIZER
United States District Judge